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WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

WOODY D. BILYEU, et al. CIVIL ACTION NO. 09-00248
VERSUS U.S. DISTRICT JUDGE DRELL
NATIONAL UNION FIRE INS. U.S. MAGISTRATE JUDGE KIRK
CO. OF PITTSBURGH, PA, et al.

JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent (de novo) review of the record, including the objections filed by petitioner, and having determined, in the concurrent written reasons, that the findings and recommendation should not be adopted at this time;

IT IS ORDERED that the Motion to Remand, Doc. #21, is GRANTED. This case is REMANDED to the Eighth Judicial District Court in Winnfield, Louisiana for further proceedings.

IT IS FURTHER ORDERED that the motion to file a second supplemental amending complaint, Doc. #16, and the Motion to

Dismiss, Doc. No. 49, are DENIED as MOOT, without prejudice as to those matters being reurged in state court.

THUS DONE AND SIGNED, in chambers, in Alexandria, Louisiana, on this 26th day of March, 2010.



Dee D. Drell
UNITED STATES DISTRICT JUDGE